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EXAMINER	
CHEN, TSE W	

ART UNIT	PAPER NUMBER
2116	

DATE MAILED: 06/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/753,326	KEDIA ET AL.	
	Examiner	Art Unit	
	Tse Chen	2116	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 June 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *29-56* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *29-56* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. It is hereby acknowledged that the following papers have been received and placed of record in the file: Amendment dated June 1, 2005.

2. Claims 29-56 are presented for examination. Applicant has canceled claims 1-28.

Claim Objections

3. Claims 29, 38-39, 41-43, 49, 51-56 are objected to because of the following informalities:

- As per claim 29, "the computer system having a memory," should be "the computer system having a ***computer system*** memory;".
- As per claim 38, "a computer system" should be followed by a semicolon; and "low power subsystem" should be "low-power subsystem".
- As per claim 39, "central processing unit" should be "computer system".
- As per claim 41, "on the disk drive" should be "on the disk drive unit".
- As per claims 41-42, "database" should be "shared database".
- As per claim 43, "a wireless interface is to connect" should be "a wireless interface to connect".
- As per claim 51, there should be an "and" before the penultimate limitation.
- As per claims 52-56, "subsystem" should be "low-power subsystem".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 29-32 and 36 are rejected under 35 U.S.C. 102(e) as being anticipated by Barber et al., U.S. Patent 6240521, hereinafter Barber.

6. In re claim 29, Barber discloses a method comprising:

- Transitioning a central processing unit (CPU) [high speed processor 42] of a computer system [40] into a low power mode [sleep] [col.4, ll.4-12], the computer system having a computer system memory [RAM, DISK, fig.2] [col.3, ll.36-52].
- Independent of the CPU, using a user interface [48] of a low power subsystem [44 with associated components] [word processing requires user instructions via well known keyboard conventionally through 48], accessing data contained within the computer system memory through a shared database [50], the shared database being shared by the computer system and the low-power subsystem [col.2, ll.13-19; col.3, ll.36-52; col.4, ll.13-22; 44 accesses 50 while 42 is in sleep mode inactive].

7. As to claim 30, Barber discloses, comprising storing at least a partial copy of data [machine state] accessed from the computer system memory in the shared database [col.3, ll.36-52; col.4, ll.9-11].

8. As to claim 31, Barber discloses, wherein the computer system memory comprises a disk drive unit [DISK] [col.3, ll.40-45].

9. As to claim 32, Barber discloses, wherein the data contained in the shared database includes multimedia data [col.1, l.65 -- col.2, l.1; multimedia presentations operates with multimedia data which would still be in the shared memory system regardless of which processor is active].

10. As to claim 36, Barber discloses, comprising presenting the data accessed to a user via a display of the low-power subsystem [col.2, ll.13-19; inherently, a display is needed to perform word processing].

11. Claims 51-53 are rejected under 35 U.S.C. 102(b) as being anticipated by Hollon, Jr., US Patent 5768164, hereinafter Hollon.

12. In re claim 51, Hollon discloses a low-power subsystem [col.1, ll.21-29; col.3, ll.1-5; a subsystem with main system 10 and main display 20 inactive is relatively low-power] comprising:

- A miniature display screen [39].
- A user input unit [94 or 31-38].
- A processor [84, 92 and associated components processes user inputs and displays outputs] coupled to the miniature display screen and the user input unit and to a shared database [82], the processor providing access for the miniature display screen and the

user input unit to a computer system [10] through the shared database [col.2, l.51 – col.3, l.5; col.3, ll.23-67; 82 contains applications shared when 10 is active or inactive].

13. As to claim 52, Hollon discloses, wherein the processor provides access to the computer system when the computer system is in a low-power mode [inactive] [col.2, l.46 - col.3, l.5; application programs on 10 is accessed via processor].

14. As to claim 53, Hollon discloses, wherein the shared database is coupled to the computer system [82 part of 10] to store at least a partial copy of data [application programs] stored in the computer system [col.2, l.46 - col.3, l.5].

Claim Rejections - 35 USC § 103

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

16. Claims 33-34, 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barber as applied to claim 29 above, and further in view of Ditzik, US Patent 5983073.

17. Barber discloses every limitation as discussed above in reference to claim 29. Barber did not disclose explicitly the presentation medium or the accessing of data from a network or a wireless interface.

18. In re claim 33, Ditzik discloses, comprising accessing data from a network [external wide area communications network] via a low-power subsystem [14] [col.5, ll.52-59].

19. In re claim 34, Ditzik discloses, wherein the network is accessed using a wireless interface [e.g., cdma] [col.5, ll.52-59; col.8, ll.4-58].

20. In re claim 37, Ditzik discloses, comprising presenting the data accessed to a user via an audio medium [14a] of the low-power subsystem [14] [col.8, ll.4-58].

21. It would have been obvious to one of ordinary skill in the art, having the teachings of Ditzik and Barber before him at the time the invention was made, to modify the low-power subsystem taught by Barber to include the teachings of Ditzik, as the network access and wireless interface taught by Ditzik is well known to be suitable for use in the system/subsystem of Barber. One of ordinary skill in the art would have been motivated to make such a combination as it provides very well known ways to access/present data and extend the computer system's capabilities [Ditzik: col.2, l.33 -- col.3, l.22].

22. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ditzik and Barber as applied to claims 33 above, and further in view of Chen et al., U.S. Patent 5590197, hereinafter Chen.

23. Ditzik and Barber disclose every limitation as discussed above in reference to claim 33. Ditzik and Barber did not disclose explicitly the network being an electronic store.

24. Chen discloses a network [fig.1] as an electronic store [merchant processor] allowing an electronic purchase [col.4, ll.46-50].

25. It would have been obvious to one of ordinary skill in the art, having the teachings of Chen, Ditzik, and Barber before him at the time the invention was made, to modify the system as taught by Ditzik and Barber to include the network as taught by Chen, in order to obtain an electronic store allowing an electronic purchase. One of ordinary skill in the art would have been motivated to make such a combination as it provides a way to extend the computer system's capabilities [Ditzik: col.2, l.33 -- col.3, l.22].

26. Claims 38-40, 42, 44, 48-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barber in view of Hollon.

27. In re claim 38, Barber discloses an apparatus [notebook computer] comprising [fig.3, 4; col.2, ll.20-29; col.3, ll.40-45]:

- A computer system [42 with associated components].
- A shared database [50] coupled to the computer system [via 46 in order to operate] [col.3, ll.37-52].
- A low-power subsystem [44 with associated components] coupled to the shared database [via 46 in order to operate], the low-power subsystem having a processor [44] with access to the shared database, and a user interface [word processing requires user instructions via well known keyboard conventionally through 48] providing access to the computer system through the processor and the shared database [col.2, ll.13-19; col.4, ll.13-22].

28. Barber did not disclose explicitly a user interface independent of the computer system.

29. Hollon discloses an apparatus [portable computer] comprising:

- A computer system [20, 93 with associated components].
- A subsystem [39, 84 with associated components] having a processor [84, 92] with access to a shared database [82], and a user interface independent of the computer system [31-39] providing access to the computer system through the processor and the shared database [col.2, l.51 – col.3, l.5; col.3, ll.23-67; 82 is shared for program applications to run when cover is closed].

30. It would have been obvious to one of ordinary skill in the art, having the teachings of Hollon and Barber before him at the time the invention was made, to modify the apparatus taught

by Barber to include the independent user interface as taught by Hollon, in order to obtain the low-power subsystem coupled to the shared database, the low-power subsystem having a processor with access to the shared database, and a user interface independent of the computer system, the user interface providing access to the computer system through the processor and the shared database. One of ordinary skill in the art would have been motivated to make such a combination as it provides a way to quickly access stored data [Hollon: col.2, ll.7-9].

31. As to claim 39, Barber discloses, wherein the low-power subsystem is in operation when the computer system enters a low power mode [sleep] [col.4, ll.13-22; computer system in low-power mode with 44 operating].

32. As to claim 40, Barber discloses, wherein the computer system comprises [col.3, ll.40-45]:

- A central processing unit (CPU) [42].
- A memory device [RAM] coupled to the central processing unit [in order to access data].
- A disk drive unit [DISK] coupled to the central processing unit [in order to access data].

33. As to claim 42, Barber discloses, wherein the data contained in the shared database includes multimedia data [col.1, l.65 -- col.2, l.1; multimedia presentations operates with multimedia data which would still be in the shared memory system regardless of which processor is active].

34. As to claim 44, Hollon discloses, wherein the user interface of the low-power subsystem further comprises a video display [39] to display data from the shared database [col.2, l.51 – col.3, l.5; col.3, ll.23-67].

35. As to claim 48, Hollon discloses, wherein the computer system [10] comprises a main screen [20] and the low-power subsystem comprises a miniature display screen [39] and wherein the miniature display screen is activated when the main screen is closed [col.2, l.51 – col.3, l.5].

36. As to claim 49, Barber discloses, wherein the computer system comprises stored multimedia data, wherein the low-power subsystem accesses the stored multimedia data through the shared database and wherein the low-power subsystem presents the multimedia data to a user through a display [a display is required to present multimedia data] [col.1, l.65 -- col.2, l.1; multimedia presentations operates with multimedia data which would still be in the shared memory system regardless of which processor is active; user desires prolonged battery life over performance and selects low-power processor for multimedia presentation].

37. As to claim 50, Barber discloses, wherein the low-power subsystem presents the multimedia data to the user [col.1, l.65 -- col.2, l.1; multimedia presentations operates with multimedia data which would still be in the shared memory system regardless of which processor is active; user desires prolonged battery life over performance and selects low-power processor for multimedia presentation]. Hollon discloses, wherein the low-power subsystem presents the data to the user over a miniature display screen [39] of a user interface [col.2, l.51 – col.3, l.5].

38. Claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over Barber and Hollon as applied to claim 40 above, and further in view of Kabelshkov, U.S. Patent 6108663.

39. Barber and Hollon disclose every limitation as discussed above in reference to claim 40. Barber and Hollon did not disclose explicitly the shared database storing at least a partial copy of data accessed from elsewhere.

40. In re claim 41, Kabelshkov discloses an apparatus [10] wherein a shared database [relational database] is coupled to a disk drive unit [34], the shared database to store at least a partial copy of data stored on the disk drive unit [col.4, ll.54-61; database in disk is copied to memory 31].

41. It would have been obvious to one of ordinary skill in the art, having the teachings of Barber, Hollon and Kabelshkov before him at the time the invention was made, to use the database as taught by Kabelshkov for the system disclosed by Barber and Hollon as the database taught by Kabelshkov is well known to be suitable for use in the system of Barber and Hollon. One of ordinary skill in the art would have been motivated to make such a combination as it provides an efficient way to access data [Kabelshkov: col.4, ll.50-56].

42. Claims 43, 45-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barber and Hollon as applied to claim 38 above, and further in view of Ditzik.

43. Barber and Hollon disclose every limitation as discussed above in reference to claim 38. Barber and Hollon did not disclose explicitly the presentation medium or the accessing of data from a network or a wireless interface.

44. In re claim 43, Ditzik discloses a low-power subsystem [14] that comprises a wireless interface [an interface in the broadest interpretation is needed to transmit/receive data] to connect with a local area network [col.8, ll.16-58; 100 and 14 constitutes a LAN].

45. In re claim 45, Ditzik discloses a low-power subsystem [14] that comprises a wireless interface [51] to receive verbal instructions from a user interface [36 with associated components] [col.8, l.16 – col.9, l.19].

46. In re claim 46, Ditzik discloses, wherein the user interface comprises an audio headset [earset unit 34] to receive audio data transmitted from the wireless interface [51] [col.8, ll.4-58; 100 relays audio data to 34].

47. In re claim 47, Ditzik discloses, wherein the low-power subsystem [14] comprises an interface [e.g., CDMA] to transmit data to a cellular phone [fig.7; col.5, ll.52-59; col.12, ll.50-67; 14 transmits data to other cellular phones operating in CDMA].

48. It would have been obvious to one of ordinary skill in the art, having the teachings of Hollon, Ditzik and Barber before him at the time the invention was made, to modify the low-power subsystem taught by Barber and Hollon to include the teachings of Ditzik, as the network access and wireless interface taught by Ditzik is well known to be suitable for use in the system/subsystem of Barber and Hollon. One of ordinary skill in the art would have been motivated to make such a combination as it provides very well known ways to access/present data and extend the computer system's capabilities [Ditzik: col.2, l.33 -- col.3, l.22].

49. Claims 54-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hollon as applied to claim 51 above, and further in view of Ditzik.

50. Hollon discloses every limitation as discussed above in reference to claim 51. Hollon did not disclose explicitly the presentation medium or the accessing of data from a network or a wireless interface.

51. In re claim 54, Ditzik discloses a low-power subsystem [14] comprising a wireless interface [an interface in the broadest interpretation is needed to transmit/receive data] to connect to an external network [wide area communication network] [col.8, ll.16-58].

52. In re claim 55, Ditzik discloses a low-power subsystem [14] comprising a wireless interface [an interface is needed to relay data to 100] to connect a user input device [14b] and a processor [on 100] [col.8, ll.4-58].

53. In re claim 56, Ditzik discloses a low-power subsystem [14] wherein a user input unit [14c] comprises a wireless user interface to receive verbal commands from a user [col.8, ll.4-58; e.g., cdma interface receives verbal commands from a user and transmits commands wirelessly].

54. It would have been obvious to one of ordinary skill in the art, having the teachings of Ditzik and Hollon before him at the time the invention was made, to modify the low-power subsystem taught by Hollon to include the teachings of Ditzik, as the network access and wireless interface taught by Ditzik is well known to be suitable for use in the system/subsystem of Hollon. One of ordinary skill in the art would have been motivated to make such a combination as it provides very well known ways to access/present data and extend the computer system's capabilities [Ditzik: col.2, l.33 -- col.3, l.22].

Response to Arguments

55. All rejections of claims as filed prior to Amendment dated June 1, 2005 not argued in entirety or substantively in response filed as said Amendment have been conceded by Applicant and the rejections are maintained from henceforth.

56. Applicant's arguments with respect to claim38 have been considered but are moot in view of the new ground(s) of rejection as necessitated by amendment.

57. All other claims were not argued separately.

Conclusion

58. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tse Chen whose telephone number is (571) 272-3672. The examiner can normally be reached on Monday - Friday 9AM - 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne Browne can be reached on (571) 272-3670. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tse Chen
June 15, 2005

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